

# OXFORD

## MAGAZINE

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No. 454 Fifth Week Trinity Term 2023

The Higher Education (Freedom of Speech) Act has just come into force. It is the government's response to what has become dubbed loosely as campus 'cancel culture'. Although seemingly couched in terms of the relatively limited and specific matter of the 'no-platforming' of controversial visiting speakers, it actually covers situations like those of Professor Kathleen Stock, who was caused to resign her job at Sussex after years of harassment and abuse, and indeed Oxford's Selina Todd, who needed security protection when giving her university lectures. Safe spaces, trigger warnings, curriculum cleansing and much besides in university practices will all potentially come into its orbit. But the fundamental problem now about to emerge will be the balancing of the defence of freedom of speech as against the protections from discrimination as provided for in the Equality Act 2010 and Human Rights legislation more generally.

The new Act (*Oxford Magazine*, No. 448, 0th Week, HT 2023) can easily be seen as a right-wing Tory-inspired initiative and it is often argued that, in practice, the problems it addresses are rare in universities. But the issues raised are inseparable from the widening divisions of beliefs, causes and opinions occurring in society and their excessive expression in social media. And what those outside universities cannot appreciate is the self-censorship that results in such an atmosphere. The scale of both discrimination and harassment complaints in universities are poorly documented and are likely to be considerable. Amendments to the Bill were cross-party and it seems most unlikely that a Labour government would repeal the Act.

Apart from creating a new complaints procedure through the Office for Students, the Act will impose a

### IN THE REAL WORLD

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number of onerous duties on universities to enhance and monitor free speech provisions, with regular reporting to the OfS on implementation, failure potentially resulting in deregistration by the OfS. The Act introduces a new statutory tort to allow individuals to bring legal proceedings against a higher education provider or students' union, includ-

ing Oxford colleges, if they were not complying with their duties to protect freedom of speech and academic freedom.

How, in particular, will all this impact on Oxford? Most significant is the provision that every college will need to respond and conform (although it is unclear what sanction the OfS could impose on individual colleges as such). As has been widely noted, the Act is not as well drafted as it might have been, leaving many details vague and terms undefined. It will be far from easy to arrive at the required working mechanisms in practice, and a truly satisfactory, ideal system could well be illusory, given the complexity of real-life situations. Much will depend on developing case law over the longer term.

Imagine a possible scenario: a one-to-one tutorial involving a senior, long-serving male tutor and a Muslim female undergraduate during Ramadan. He has taught her for three years and hopes she will get a First. Concerned about an unusually poor essay the tutor asks whether her work has been affected by her fasting and any associated charity work she has undertaken. Next day, the student makes a discrimination complaint to the college authorities.

Consider the possible ramifications arising from this hypothetical situation. In his pastoral role there is an expectation on the tutor to consider the student's well-being but when does this grade into excessive intrusive-

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ness? Is the complainant genuinely and simply offended on religious grounds or are other factors involved? The University's definition of harassment is as follows: "unwarranted conduct which has the .... effect of: violating another person's dignity, ... or creating an offensive environment for another person." Are these criteria applicable? What evidence could be sought regarding the seriousness of the impact on the student; there were no witnesses, but might relevant evidence emerge if the student had discussed events with other students, OUSU, campaigning groups, support personnel or resorted to social media?

Consider another hypothetical example. A recently arrived female college tutor receives a poor essay, which she suspects has been plagiarised or compiled dishonestly, and tells the student in question that the work is unacceptable. The student has a diagnosis of dyslexia, but this has not yet been communicated to the tutor in question. The tutor takes to Twitter, criticising falling standards amongst students and the use of AI chatbots to write essays. The student, who follows the tutor on social media, sees this "tweet", feels that they are implicated personally, and makes a complaint to their college for discrimination, specifically ableism.

In both these theoretical complaint cases issues of the limits of freedom of speech arose even though the potentially discriminatory offences arose in the context of a private conversation or on social media rather than in a lecture or a debate involving visiting speakers. Particularly problematic is evidence from social media: to what extent does this fall within University or college jurisdiction and where do the tech companies and the police come in?

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What might follow if a college faces situations such as these? Any given college has limited resources, and is inevitably restricted as regards relevant expertise and the collective wisdom or experience needed to deal with such situations. The college may well be experiencing its own 'culture war', given the way deep divisions now affect society generally. Even putting together a complaints committee raises problems of confidentiality. How is such a committee to be selected, given that the tutor is probably regarded as a trusted colleague or friend, with shared responsibilities as a member of the governing body? Should the tutor be relieved of some duties while investigations are carried out?

In any framework for handling complaints there are many inherent procedural tensions. How are the merits of the positions of the two parties to be evaluated? Given the inevitable uniqueness (and complexity) of each situation how can consistency in the processing of cases be sought

and are how can we be sure that agreed values are being applied as appropriate to an academic institution? What disciplinary penalty is it appropriate to apply? When cases are handled by departments in the University or in individual colleges these concerns loom large, especially if final judgements are made by a single senior staff member.

As with a number of similarly complex policies and regulatory requirements imposed on Oxford it makes obvious sense for colleges to share practices (e.g. through the Conference of Colleges) but not necessarily to model their processes on current central University practices or methods, which in this area are themselves in need of reform (e.g. the creation of an internal mediation service).\*

Written memoranda, policy statements or analyses of legal case law provide limited guidance when it comes to the handling of the awkward realities of an actual case. One way of starting to address the above problems for colleges might be that they share in the appointment of an ombudsman who oversees all cases and sits in as expert and neutral advisor on the relevant individual college committees. Even more importantly such a person might act to resolve complaints informally so that more onerous, legalistic processes can be avoided. Informal resolution might include, in the above examples, explaining to the student the implications of the Act or the University's free speech policies and their rationale. Admittedly it would not be easy to find persons with the requisite skills and authority to serve in such a post. Rather than lawyers and HR professionals for example, persons trained in conciliation and dispute resolution might be preferable.

The aim then is to develop processes that protect us when we express views, within the law, which some may claim to be discriminatory: those processes must make it clear that freedom of speech – and even the inadvertent, ill-advised or inconsiderate speech that is part of real-life – is paramount. Explanations and apologies rather than inquisitions and penalties are what is called for.

Whatever policies emerge there is a certain urgency, given the high public profile of Oxford. Compared to other UK universities – and even Cambridge which awaits a new Vice-Chancellor new to the UK – we have certain advantages as regards collective resources as well as academic expertise. Clearly somebody needs to pool experience as it emerges throughout the higher education system. More hypothetical case examples would be valuable, alongside easily accessible relevant legal case law.

T.J.H

\*See: *Oxford Magazine*, No.401, 5th Week, MT 2018; No. 432, 2nd week, TT 2021; No 438, 8th week, MT 2021. The University's procedures in harassment cases are at present being reviewed, with a report expected next term. Hopefully Conference of Colleges is involved (the creation of a joint University/ Conference of Colleges committee for equality, diversity and inclusion being a recent precedent).



# Reminders



*“The University has strong policies in defence of freedom of speech and believes that students should expect to encounter views that they find challenging or uncomfortable during their studies.*

*The University does not recommend or encourage the use of content warnings. We are aware that some academics choose to put content warnings on materials that they believe some students may find distressing, and we regard this as a matter for the individual academic.”*

(University of Oxford press release, 18th February 2023)

*“Confidence in American higher education is sinking faster than for any other institution, with barely half of Americans believing it has a positive effect on the country.*

*No small part in this disenchantment is the impression that universities are repressing differences of opinion, like the inquisitions and purges of centuries past. It has been stoked by viral videos of professors being mobbed, cursed, heckled into silence, and sometimes assaulted, and it is vindicated by some alarming numbers.*

*...Worse, for every scholar who is punished [reportedly 877 cases brought for expressions of views between 2014 and 2022; 114 sanctioned, 156 fired] many more self-censor, knowing they could be next.*

*... A cadre of activists may find meaning and purpose in their cause and be willing to stop at nothing to prosecute it, while a larger number may disagree but feel they have other things to do with their time than push back. The activists command an expanding arsenal of asymmetric warfare, including the ability to disrupt events, the power to muster physical or electronic mobs on social media, and a willingness to smear their targets with crippling accusations of racism, sexism, or transphobia in a society that rightly abhors them. An exploding bureaucracy for policing harassment and discrimination has professional interests that are not necessarily aligned with the production and transmission of knowledge.*

*... [Against this background] we have joined with 50 colleagues to create a new Council on Academic Freedom at Harvard.*

*... More than half of our students say they are uncomfortable expressing views on controversial issues in class.*

*... The Council is a faculty-led organization that is devoted to free inquiry, intellectual diversity, and civil discourse. We are diverse in politics, demographics, disciplines, and opinions but united in our concern that academic freedom needs a defense team.”*

(Extracts from statements in support of the new Council on Academic Freedom at Harvard by Steven Pinker, Johnstone Professor in the Department of Psychology at Harvard and Bertha Madras, Professor of Psychobiology at Harvard Medical School, April, 2023).

*“More than 40 academics have written a letter to The Telegraph in response to calls for a planned appearance at the Oxford Union by Professor Kathleen Stock, a leading feminist, to be cancelled. The letter states: ‘Whether or not one agrees with Professor Stock’s views, there is no plausible and attractive ideal of academic freedom, or of free speech more generally, which would condemn their expression as outside the bounds of permissible discourse.’ The Union has said that the talk with Professor Stock will go ahead despite planned protests. A University of Oxford spokesperson said it ‘does not support the no-platforming of any lawful speech at University events or on University premises.’ It is understood that trustees of the Oxford Student Union have written to the Oxford Union and could reverse their move which would have banned the debating society from the fresher’s fair, after the University sought to understand the Student Union’s decision and uphold its free speech duties”*

(University of Oxford press release, 17th May, 2023)

*Continuing coverage of protests against the forthcoming speech by the academic Kathleen Stock to the Oxford Union, a private organisation, and the Student Union’s recent decision to cut links with the OU. A university spokesman said: “Oxford’s freedom of speech policy makes clear that the university seeks to prepare students to encounter and confront difficult views, including views that they find unsettling, extreme or even offensive. The university does not support the no-platforming of any lawful speech at university events or on university premises, although we also recognise the right of students and societies to protest and challenge speakers at internal or external events, as long as they do so within the law and our policies. It is our understanding that the student union (SU) has not banned the Oxford Union from Freshers’ Fair and so has not infringed our free-speech policy. Discussions with the SU are ongoing to ensure this is the case.”*

(University of Oxford press release, 18th May, 2023)

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# A Warning?

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DAVID PALFREYMAN

As this University grows its Diversity, Inclusiveness, and Equity team – and as only recently a proposal from that source to have their representatives in on academic selection panels was rejected – it is salutary to consider just whither all this may lead. Google ‘Brint, New Discourses’ and up pops a worrying article – Steven Brint & Komi T German, *‘The University of California Drifts toward Conformism: The Challenges of Representation and the Climate for Academic Freedom in the Country’s Greatest Public Research University’* (‘New Discourses’, 8 March 2021). The theme is how ‘the University’s expressed commitments to academic freedom and the culture of rationalism’ are threatened ‘by new administrative dictates and social movement activism related to diversity, equity, and inclusion’.

The erosion begins with a requirement for candidates to lodge a ‘DEI statement’ and next for the scoring of it according to criteria set by the DEI team, which score is allowed to trump other selection criteria – say, research record/capacity and/or teaching commitment/competence. There were strong hints of this in the failed/withdrawn bid from our own DEI team – and one assumes they will be back in due course with another go at infiltrating the academic selection (and perhaps also the promotion/tenure process). I urge colleagues to read the Brint/German article and ask how we might avoid risking the same sad fate as Berkeley.

And two further pieces of pertinent material.

First, the *‘Journal of Controversial Ideas’* published (28/4/23; 2023, 3(1), 1) an article *‘In defence of Merit’* authored by 29 academics from, *inter alia*, Chicago, Oxford, Sydney, Rutgers, Columbia, Heidelberg and MIT.

The Abstract comments:

*‘Merit is a central pillar of liberal epistemology... The scientific enterprise, built on merit, has proven effective in generating scientific and technological advances... [But there are] ongoing attempts to undermine the core principles of liberal epistemology and to replace merit with non-scientific, politically motivated criteria... [arising from] the intrusion of ideology into our scientific institutions...’.*

Second, the creation of the *‘Council on Academic Freedom at Harvard’* was announced on 23/4/23 as a ‘Voice for Academic Freedom at Harvard’ which is ‘struggling’ (as in many universities) with ‘the threat to academic freedom from an illiberal left that wants to shrink the boundaries of acceptable discussion’ – the Council members ‘are united by the commitment to promote free enquiry, intellectual diversity, and civil discourse on campus’.

So, by creating our EDI Unit (now advertising for extra staff) have we allowed into the academic nest a cuckoo that might threaten the intellectual integrity of our great enterprise, if not carefully monitored? Does Oxford need to mimic Harvard and set up a Council to avoid the fate warned of by the first two references given above? And what might be the impact of the Higher Education (Freedom of Speech) Bill just enacted and a ‘Director for Freedom of Speech and Academic Freedom’ to be appointed to the OfS Board with a remit to operate the ‘Free Speech Complaints Scheme’? Can we sit back and leave it to the new OfS Free Speech Tsar to defend the core values of Oxford from internal and external threats?

David Palfreyman is a member of the Board of the Office for Students but writes here in a personal capacity.

## NOTICE

The Editors of the *Oxford Magazine* regret that they cannot publish any material submitted to them anonymously. If the author requests publication on the basis that the author’s name and university address be withheld from the readership, the Editors will consider the reasons given and in their discretion may publish on that basis; otherwise the material will be returned to the author.

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# An open letter to Medical Sciences

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*Congregation can, and should, take action to address the current crisis experienced by research staff at this University*

We, the signatories of the current letter, wish to express our concern and dissatisfaction with the working conditions that, historically, research staff on fixed-term contracts have experienced in academia. Against the backdrop of the current cost-of-living crisis, it is no surprise that the University and College Union (UCU) has secured, for the second time, a formidable mandate for industrial action. The latest pay offer made by the Universities and Colleges Employers Association (UCEA) does little to address the current, exceptional inflation levels experienced in the United Kingdom. Most importantly, it offers no redress for the substantive erosion in the value of the national academic salary scales, which have consistently diminished since 2009.

At the Medical Sciences Division (MSD) research staff on fixed-term contracts (such as postdoctoral researchers, technicians, and laboratory managers) conduct a sizeable amount of the excellent work that is produced by this Division. In addition to our contractual duties, we are expected to offer supervision to DPhil, MSc, and undergraduate students – a task that we conduct with consistency and pride, but without pay.

We recognise that the Heads of Department (HoDs) and other Senior University Officers genuinely value our contribution to our respective departments. We also welcome the efforts to host Open Forums for productive discussion between staff and Senior University Officers. Nonetheless, those initiatives are, at best, of a consultative nature and do not provide decisive solutions to the precarious position of research staff on fixed-term contracts.

It would be unrealistic to expect a substantive change in our working conditions stemming at the departmental level. However, we believe that the unique governance structure of the University of Oxford provides a clear avenue for all the senior staff, who are members of Congregation, to initiate a candid, open, and targeted conversation on the UCU/UCEA dispute and the dismal working conditions of researchers.

Now therefore, we exhort Prof. Gavin Screaton, the HoDs of the MSD, and all the academic staff entitled to do so, to submit a series of Congregation Resolutions urging Council to:

1. Publicly declare their position in the UCU/UCEA dispute,
2. Adopt an institutional and explicit position that is fully compatible with the overwhelming mandate that the UCU has received,
3. Establish a fully independent commission tasked with the purpose of improving the working conditions (most notably those related to pay, casualisation, and

workload) of the staff on fixed-term contracts of the University. Such commission should:

- Include representatives from different grades and positions of the University,
- Ensure that their proposals are equitable and financially sustainable; and
- In line with the general principles outlined in the Concordat to Support the Career Development of Researchers, propose a binding and concrete plan of action for Congregation (not Council) to vote on. Should this resolution be carried, such plan should be produced, presented to Congregation, and brought to a vote before the beginning of the 2024 Michaelmas Term.

The University of Oxford is unique amongst all other universities in the entire world; it is ultimately governed by the more than 5,500 members that form part of Congregation. Hence, it is uniquely positioned to provide a democratic, sustainable solution to the crisis experienced in the public research environment. **It is our firm belief that senior staff at the MSD can initiate this transformative process.**

The proposers of this open letter, all members of the Postdoctoral Association at the Sir William Dunn School of Pathology, are available to engage in conversations with the Heads of the MSD and other Congregation members who agree with this letter and are open to submitting resolutions under the terms described above.

Dr. Jesús Antonio Siller Farfán ([jesus.sillerfarfan@path.ox.ac.uk](mailto:jesus.sillerfarfan@path.ox.ac.uk)) Postdoctoral Researcher, Sir William Dunn School of Pathology (convenor)

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Dr. Yoel Klug

Dr. Daniela Vitali

Dr. Charlotte Melia

Dr. Cécilia Studniarek

Dr. Qilin Long

Dr. Mirvat Surakhy

Dr. Santosh Kumar

The current supporters can be found in the following live link: <https://forms.gle/XthEiLXqR32D8bfC9>

# Notes from Ivory Flats

ROBERT FOLEY

## *The alphabet of progress*

There is a well-known danger that those who are beyond the first flush of youth tend to think that the world is going to the dogs. This is not a new phenomenon.

*“I have many times asked myself ... the source of a certain error which, since it is committed by all the old without exception, can be believed to be proper and natural to man: namely, that they all praise the past and blame the present, revile our actions and behaviour and everything which they themselves did not do when they were young, and affirm, too, that every good custom and way of life, every virtue and, in short, all things imaginable are always going from bad to worse.”*

So wrote Baldassare Castiglione (great first name!) in

1528 in the *Book of the Courtier*, and it could easily be read as critique of Ivory Flats, written nearly five hundred years prematurely.

Leaving aside the possibility that things really are getting worse, it might be a good opportunity to think how university life may actually have improved, and so, this time I shall reflect on how things are actually better.

One of the few songs I remember most of the words for is the Geordie singer Alex Glasgow’s Socialist ABC. “A is for Alienation, that’s made me the man that I am; B’s for the Boss who’s a Bastard, a bourgeois who don’t give a damn; and C is for capitalism, the Boss’s reactionary creed.... And so it goes. In the spirit of Alex Glasgow, here is the alphabet of progress in university life – but without the rhymes.

Academics	A could have stood for ‘administration’ but surprisingly it didn’t. Instead it is the core of our institutions, the academics. If I look at the younger generations, they are generally better than the average of the past. There have always been exceptional academics, both as teachers and researchers, but the variance has almost certainly reduced, with a greater commitment and in particular, interest in the quality of both teaching and research (even if the conflict between these two does cause them a lot of stress). What is sad, and hopefully not noted by ‘senior management’ is that improvement has coincided with a sharp decline in their conditions of work.
Buildings	There is a case to be made against this one as the Cambridge Physics Department won many more Nobel Prizes in its appalling old buildings than in its more modern ones, but the expansion and improvement of university buildings is quite staggering – indeed, one might wish the same investment had been made in the more flesh and blood infra-structure, but I not in complaining mood. Not being cold and having the right labs is clearly a great improvement in life.
Conferences	The climate crisis and Covid have put a bit of a damper on this one, but cheaper travel and a more international outlook has opened up researchers of all ages to a greater range of outlooks and opportunities. Conferences, workshops, visiting positions have taken academic discourse away from a few crusty learned societies dominated by men in suits to a much more open-minded and enjoyable world of networks, collaborations, friendships and romances.
Diversity	D is something of a no-brainer. Fifty years ago students and staff were much more homogenous – by gender, class and ethnicity. I can’t pretend that anything in my person has contributed to this, but I have certainly been its beneficiary. I am sure there are many functional benefits of greater diversity, improving teaching and research, but we should not underestimate the fact that it is also more fun (see F).
ERC	UK researchers have been awarded €13.5 billion in grants from its inception until September 2021. This is not just an extraordinary boost to UK university research, but unlike so much funding these days it is directed at straightforward blue-skies projects – no seed-bedding, networking, or themes... just research. Let us hope that Brexit does not wipe this jewel from my list of improvements.

Fun	This, admittedly, is rather more aspirational than real. Those looking at the soi disant Ivory Towers from a distance often give the impression that what they resent is that students and academics are enjoying themselves, and this is in contrast to the Real World. But learning, teaching, research should be fun, and still often is. Universities should be devoted to expanding horizons of all, and this is better done in an atmosphere of enjoyment than the hard discipline of either examination-fixation or H-index oppression. As I said, probably wishful thinking, but I think the fun is still lurking there.
Google scholar	Older readers will remember the Scientific Citation Index, vast volumes of microscopic print, listing citations for papers. Apart from the strain on the eyes, the time it took to follow up papers was inordinate. Google Scholar and other search engines have transformed our knowledge of our fields, whether finding new papers or exploring the way they have prompted further research. AI driven engines will no doubt take this further, sometimes too imaginatively apparently, but Google Scholar is emblematic of easing the burden of research.
Harassment	This is not an easy one. Having had many colleagues over the years, I am sure that their behaviour with respect to students and colleagues has been irreproachable, but we have all heard of the ones who with impunity harassed and behaved inappropriately. It is a shame on us that often we did nothing despite the rumours, but in the end, they were usually just rumours, not evidence. That this sort of behaviour is now being brought under the spotlight is progress, although hopefully with a sensitivity that many people genuinely find their romantic partners at work – shared interests are not a bad basis for a relationship.
Internationalism	Walk into any lab, library or lecture room and there is a good chance that a conversation will be going on in another language. Of course, that would probably have been true in the eighteenth century, but the language would have been Latin. Now it might be Spanish, German or Chinese. The snacks being eaten could be samosas, nachos or sushi. In our research centre we would have parties where people would bring examples of their local food and given that we have had some 40 nationalities in our centre over the years, the meals were wonderful – as is the overall scientific and cultural experience.
Job talks	Definitely a two-edged sword, this one. On the one hand they are terrifying to give and often painful to listen to, but on the other they open up the appointments process, bring it out of the rather secretive and hierarchy-based process that dominated previously.
Knowledge	Another one where the jury may still be out. I have often heard it said, and indeed probably said it myself, that students arrive with a much narrower knowledge-base than previously, and one can be shocked at things they don't know (as I am sure my supervisors were shocked by what I didn't know). However, it is also the case that the internet and digital resources generally have made it much easier to acquire knowledge, and so hopefully there is a premium to be gained from easy access to knowledge that gives a return in analytical and interpretive skills. Well, I am an optimist.
Lectures	In my first Department there was a lecturer who would bring the same yellowed and curled sheets of hand-written pages each year and start reading. At the end of the hour, they would mark the line they had reached, and leave, beginning at the next line the following week. Year after year... Lectures are definitely better!
Mobile phones	In the 'good old days' to make a phone-call required ringing the switchboard (only after 1 pm) and asking for a call to be made. 'Is it personal' was the inevitable response (which meant you got billed!). If you were lucky in the next hour your phone would ring and you would be put through. If you were unlucky (or unpopular) you would never hear back from the operator. Making a call could take several days. God bless mobile phones, not just for making phone calls but for all the other things we can do – plan (and gossip) on WhatsApp, grab photos on the run, record talks, not to mention keep in contact in even remote field conditions.

Novelty	N is a hard consonant, replete with rather tough sounding abstract nouns (N is for negative, after all). Novelty here could be a catch-all, but what I have in mind are the new subjects and new areas of research that are now possible, both in the sciences and the humanities. The hegemony of traditional subjects, looking down on upstarts, is hopefully much weaker. New ideas, new perspectives come from experimentation, intellectual and scientific, and while some may fall by the wayside as ephemeral and fashionable, some become the planks of progress. The problem, of course, is knowing which is which, but only an open-minded approach to novelty can provide the context for discovering which is which.
Outreach	There was certainly once a view that scientific and scholarly knowledge was too good to be shared widely, and what was shared should be outsourced to organisations such as the Workers Education Association. That this is no longer the case, and outreach in all its forms – festivals of science and ideas, Twitter platforms, lifelong-learning, science journalists, etc. have all shown the functionality and the fun of research and higher education in a way that will have the guardians of Ivory Towers turning in their graves, hopefully.
Photocopiers and pdfs	Change is progressive, with one form successfully replacing another. Photocopiers were a boon from the 1970s onwards, magically making material widely available to students and academics alike, and as they improved, they became wonders of speed (and places to meet people). PDFs continue the trend of the democratisation of information, even if the opportunities for a nice gossip are reduced.
Quantitative software	A bit nerdy, but .... To calculate a statistical test on a large set of data by hand could take a lifetime. Calculating machines improved the lot of the scientist, but the real revolution came with freely available software packages. I can now do in a few seconds what used to take days, and for my predecessors, months. The emergence and flourishing of 'R', free to all, has simultaneously brought greater equality and greater quality of science to the field.
Risk	One of my tasks as an undergraduate doing fieldwork was to back an ancient and rickety land rover up to the of a cliff on which an A-frame was precariously placed. I depended on another student to tell when I got to the cliff edge. This would drop a hoist to those below, a package would be attached (fossil, camping equipment), and then I would drive forward and up would come the package. Rinse and repeat. Looking back it was horrendously dangerous (but a lot of fun). One can carp, and I do, about the greater restrictions in health and safety, but some of the things we did were pretty outlandish. Greater safety, if not universal caution, seems to be progress.
Students	That many think that today's students are not as knowledgeable (see K), prepared, or as interested as earlier generations (especially our own), is true, but this neglects the most important thing about students, which is they are annually refreshed, and provide new challenges all the time. Different backgrounds, different abilities, different interests are what refreshes teaching. Exasperating sometimes, but nearly always a process of renewal.
Talks	Talks (a broad mix of seminars, discussion groups, journal clubs and so on) are a central part of academic life today, even to the extent that there may even be too many of them. But this is a great improvement from earlier times when there may be the occasional, very formal and often exclusive Department Seminar, but otherwise it was a desert. Post-covid has added to this richness online access to high quality talks across the world. Seminars provide the experience to present, to ask questions (so nerve-racking to start with), and to get one's head above the parapets of our own specialities.
Universities	....more of them...In the 1960s there were around 33 universities in England, a few more in Scotland, one in Wales. There are now more than 120 institutions of higher education. While one can quibble over many aspects of the expansion of higher education and the direction of travel in some ways, the fact that there are now so many more opportunities for both students and staff has to be one of the better things of modern Britain.



Vice-Chancellors	No, only joking. Probably good, bad and indifferent as always.
Word processors	There is a booming market for portable typewriters, having the romantic glow of students in attics, novelists in Cuban bars, and explorers in tents, all living at the edge. There is a nostalgia for these machines, and certainly an earthly pleasure in the physicality of hitting the keys. But as someone who typed (very badly) their thesis and many papers with one, I bless the arrival of word processors. I can see there are downsides – word processors allow too many options to write paragraphs at random, and then reorder them so that writing becomes more like Lego constructions than flowing prose – but not retyping drafts from scratch is a blessing.

Alex Glasgow's alphabet ends with 'X, Y and Z, my dear daddy said, will be written on the street barricades' – and that's good enough for me too.

No doubt each of us would have our own list, both of things that are better and things that are worse, and mine is unashamedly subjective. While I would not go to the stake for any of them, I am interested to see what general patterns they expose. The most striking for me is the number of these that are based on technology. We have become so accustomed to the presence of the hardware and software that supports us that a lot of the time we hardly notice, and simply take them for granted. In this there is nothing special about academics or university life in general, as virtually any field of life would reflect the fact, but research and education are particularly well-placed to benefit from the digital technology that underlies the massive amount of information on which we depend. Even though I know there are many costs – for example, word processors have transferred many administrative tasks from secretaries to the academics – I am not about to go and see if I can find my Olivetti Lettera 25.

The other generality is that they reflect a shift from a closed to a more open world. The internationalisation

of universities, the diversity of the student base, the open conferences and talks, the growth of outreach and public dissemination, are all ways in which the walls of the cloister have been thinned if not fully removed. While there can always be strains brought about by enlarging the size and diversity of a community, these mostly settle down to the point that people cannot imagine anything different.

So despite the deep and very real concerns about many aspects of modern university life, it is important not to ignore what is good, and indeed better than before. We are mistaken to think of golden ages and declinism. Each age has elements that are golden, and others that are rusty iron bars, and we should learn to keep the former and lose the latter, and certainly not, as often happens, go and look for new rusty bars. It can be that things are getting better and worse at the same time. And as I look at my alphabet, I am struck by two things. One is that change (for the better and worse) is driven to a very large extent by factors that go way beyond the academy, and our level of agency is limited. The other, to me not surprisingly, is how virtually none of the improvements have come from top-down planning and 'senior management'. So, let's raise a glass

Not  
the  
*Gazette*

NB The *Oxford Magazine* is not an official publication of the University. It is a forum for the free expression of opinion within the University.

The next issue of *Oxford Magazine* will appear in eighth week

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## Etch A Sketch

They disappear  
cats, us, home,  
by shaking clear.  
I jiggled a lone  
and crazy line  
across the screen,  
my early hands  
in metallic sands.  
I tried. Done.

Years ago  
the Big Wheel  
by Mattel  
on the drive,  
Dad in a vest  
by M&S  
yelling at the dog  
owned by  
the Vietnam vet.

Rockville,  
Bethesda,  
I still love  
how at night  
near there  
my brothers  
caught fireflies  
for the jar,  
rooms alight.

Tony and Troy,  
Oh boy,  
Mum said never  
get into a fridge  
and they did,  
a rust bucket  
out back  
they said fuck it  
and got in.

Clyde's basement  
had a set up  
of track around  
which cars would  
loop the loop.  
I try to recall  
how fast or slow,  
a kid in the 70s  
I hardly know.

London.  
Across the park  
my birthday plane  
sent by US Dad  
to the other.  
Hard to explain  
how it just left  
the green arc  
jagging Park Lane.

I think of  
American toys -  
etch a sketch  
my memory,  
twist the knobs.  
Little will come.  
A Tonka V8,  
forgot about that.  
But what is done  
of all of this  
is maybe done.

CHRIS FLETCHER

Chris Fletcher is Keeper of Special Collections at the Bodleian Library and a Fellow of Exeter College.

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## Simeon Stylites, January 5

The aim is to get above yourself. Recipe:  
first live four years out on a small platform  
fixed firmly atop a nine-foot high pillar,  
then up it to eighteen feet for three years,  
and then it's ten years at thirty-three feet.  
Lastly let your admirers build you sixty  
feet of column and stay up twenty years.

How little they look, how needful they are  
for you to manage up and above them!  
You are absorbed in prayer and penitence  
standing, bending, sitting, getting up, lying,  
joining and unjoining the hands, and bending  
standing, lying, getting up, sitting, hands  
together and apart, except in Lent  
you make the routine more intense. No stops  
or slowing down then to drop a few words  
of homely paraenesis in the straining  
all but blocked up ears down there below you.

People brought you unwanted food and drink  
which you pulled up in a basket. What waste  
came from your shrivelled body just, I guess,  
flew off. Anyway your small dirt was holy  
and your high odours above human noses.

Now it's common in our part of the world  
to stay up pillars for a lifetime eating  
and drinking and doing unusual things.  
Now those below run from pillar to pillar  
with greens, meat, fruit, cereals, cheese and sugar,  
with coffees, omelettes and scrumptious cakes,  
without which we would plummet to our deaths.  
Some of them have scrambled into our baskets,  
and some of us think it's a long way down.

Maybe you're happily sitting, Simeon,  
on some unbelievable height, and now  
and then you might just lean over a moment  
and pull some breathless soul up after you.

PETER HAINSWORTH

Peter Hainsworth is an Emeritus Fellow of Lady Margaret Hall. He was formerly a professor of Italian in the Modern Language Faculty.

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## May Morning

'Tis a very, very merry month, inaugurated by  
Much dancing and frivolity, post singing from on high  
*The Hymnus Eucharisticus* by Magdalen's choir angelic,  
An Oxford eccentricity that is for crowds magnetic!

ROBERT GRAYSON

Robert Grayson writes a poem each week for the staff bulletin at NDORMS, where he works as Graduate Studies Assistant. Previously a pastor and primary school teacher, he loves playing with words.

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# The ‘free and frank exchange of views’

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G.R.EVANS

In an earlier article (*Oxford Magazine*, No. 453, 2nd Week, TT 2023) I described Cambridge’s requirement for the Council and other bodies to give considerable published information to the Regent House because it is the University’s governing body, and because the constitutional process of decision-making creates automatic opportunities for comment and exchange before the Regent House is offered a proposal (a Grace) to approve. First there are Recommendations in a Report, with a Discussion to follow, a Council response to it, and only then the publication of a Grace. All steps are published in full in the *Reporter*. In contrast, Oxford’s constitution abbreviates the time between putting a Resolution to Congregation and its approval, with less built-in opportunity for such exchanges. A Resolution will normally be accompanied by a short explanation of its purpose in the *Gazette* and most resolutions are accepted by default, no notice of opposition having been given. A debate in the Sheldonian, if held, allows for the exchange of views, but the vote follows at once.

The Freedom of Information Act s.36 provides that ‘the free and frank provision of advice’, and ‘the free and frank exchange of views for the purposes of deliberation’ may properly be exempt from disclosure. This applies in the framing of the proposals which Congregation and the Regent House may eventually approve and up to a point it is right for confidential consultations to be part of the formulation and initial testing out of proposals. Some of these may be ‘disclosed’ through the gossip which thrives in both universities and, more importantly, through a number of groups and individuals who create or have special access to this information. These are able to decide what to make public, and in what form, as well as, exceptionally, to refuse to disclose what they know in response to a formal request. It is that stage of deliberation where there is arguably a case for more systematic disclosure to the University’s sovereign body.

## *The Board of Scrutiny*

One body in Cambridge, to which Oxford has no exact counterpart, has had success in finding ways to lay such information before the Regent House by publishing it in its *Annual Reports* and *Minutes*. The Board of Scrutiny’s *Annual Report* is always subject to a Discussion and expects a *Notice* in response by the Council. The Board has access in principle to all information, beyond that which the constitution requires to be published for the Regent House. It has the right ‘to consult any official documents or accounts’ which are ‘relevant to any enquiry’ it ‘may conduct’. It may make inquiries of any officer.<sup>1</sup> The Board of Scrutiny is now just over a quarter of a century old and its independence is clearly defined in Statute A, VII. None of its members may also be members of bodies whose work it scrutinizes or holders of certain (primarily admin-

istrative) offices.<sup>2</sup> It has eight members directly elected by the Regent House, together with the Proctors and Pro-Proctors. It scrutinizes ‘on behalf of the Regent House’.

In response to calls for a body similar to Cambridge’s Board of Scrutiny, Oxford’s combined Audit and Scrutiny Committee was created in June 2006 on the authority of Council, which considered it a mere rationalisation of the expanding work of the Audit Committee. It ‘may call for any investigation that it considers necessary and may call any individual or for any document or documents it considers relevant to any such investigation’.<sup>3</sup> However it lacks the independence of Cambridge’s Scrutiny. It has a predominantly *ex officio* membership with only a handful of members directly elected by Congregation. The *Gazette* does not routinely publish its findings or reports.

From the beginning the Cambridge Board of Scrutiny pulled no punches. As a member of Council at the time I remember a meeting early in its life at which it was suggested that it be abolished because it was asking awkward questions. One year its *Report* was held up for some months before Council allowed it to be published in the *Reporter*.

Scrutiny’s first *Report* in 1996<sup>4</sup> included reflections on its responsibilities, as did the *Second* (1997)<sup>5</sup> and *Third* (1998).<sup>6</sup> In its *Fourth Report* of 1999, at the close of the first full term of its founding members, it took stock of some patterns emerging.<sup>7</sup> One of these was the slowness of the Council’s required responses to its findings. This could build in considerable delays. The *Third Report* had commented on ‘mills grinding extremely slowly’. The Council’s response to it had been published only in December 1998, ‘commenting on events which took place in the Michaelmas Term 1996. This is retrospection in the extreme’. The Board ‘expressed regret about the extremely slow progress being made by the Council’.

It was not only Council delay which Board of Scrutiny found to deserve criticism. In its *Fifth Report* in 2000 the Board found the Council’s response on a matter of accounting standards ‘quite mystifying’. It was encountering positive negativity. The Council, it thought, could ‘see no helpful purpose in compliance’. Instances of hostile stand-off on the part of the Council have continued to be remarked on, with the Council’s published responses tending to assert that it has taken comments seriously and either has done or will do what is asked.

## *The Administrative Service*

Both universities have had ‘Administrative Services’ for the last quarter of a century. In both, their former ‘civil service’ character has been adjusted to accommodate a proportion of the professionally qualified, but these services remain silos, working as largely separate entities. Oxford has a UAS (Professional Services and University Administration) reporting to the Registrar, who reports to the Vice-Chancellor. Cambridge’s UAS (Unified Ad-

ministrative Service) was set up as an institution under the supervision of the Council in 1996. This was to be headed by the Registry. It brought together the administrative support of the former Financial Board, General Board, and Registry, into new Divisions each to have a Director.

Robert Foley regretted these Directors in his own article in *Oxford Magazine*, No. 453. 'Cambridge is now replete with Directors of this, that and the other, and presumably their job is to direct rather than to profess', he commented. More important perhaps is the shift of purpose introduced in both universities by the element of specialised professional expertise. The UAS in each University now provides not only expert and secretarial support to the academic decision-making but advice at a level where it participates in it.

This leaves some ambiguity in requirements to publish information. The Cambridge UAS was created, it was announced at the time: 'to make more information from the offices and sections that comprise the University Offices available on the web'. The Cambridge UAS has a website, detailing the (at present) seven Divisions, each with its own website. Individual members of the UAS are normally prompt and helpful when asked a question. The Oxford UAS too has a website as do its 'sections'. Yet neither UAS makes a *Report* to its University or publishes Agendas or Minutes of the activities of the Sections or Divisions.

Senior UAS staff are members of Congregation and of the Regent House respectively, but it is almost unknown for any of them to speak in Debates or Discussions. This seems to be an unspoken feature of their 'silo' character. The Oxford UAS, like the Cambridge one, operates in its own, only partly visible, world of internal interaction.

That the UAS is its own world within the University may be glimpsed in the exchanges in the Cambridge 'Yammer' intended to help the staff of admin.cam.ac.uk 'connect with colleagues':<sup>8</sup>

*'Yammer now has more than 4,000 members of staff who have joined and regularly sees over 1,800 people using the platform every working day. It seems to be more popular than ever with more than 10,000 visits to the All University feed in its second full week since relaunch, up from over 7,500 in week one. Nearly 20 staff communities have now been created on the platform, covering a range of topics, from University initiatives like the HR Transformation Programme to staff networks such as the Leaders and Managers Network and Disabled Staff Network. Others include shared personal interests. Staff can create a community on Yammer via the request a community form.'*

The content of these exchanges is preponderantly 'domestic' to the UAS. Though academic members of the Regent House may access this *Yammer*, in practice they do not join in.

The 24th *Report of the Board of Scrutiny* expressed its concerns that the UAS was under-staffed and under stress. The University, it said:

*'needs a central administration that is equipped not only to support routine operations and governance processes, but can also provide sufficient experienced and forward-looking thinking to sustain its academic leadership and central bodies in evaluating, challenging and promoting strategies and positions to maintain our international standing.'*<sup>9</sup>

In its Notice in response<sup>10</sup> the Council responded to the Board's recommendation that the Council take 'steps to

satisfy itself that the UAS is appropriately structured and staffed to provide the necessary skills and expertise'. It defended its position by listing improvements, mentioning a 'UAS senior leadership team', and other 'senior leadership teams' in the Divisions; 'senior officers have recently established a "Resourcing Group"'. In 2018, for the benefit of 'professional services support as a whole' it noted that the '*ourcambridge* programme was launched'. 'The Registry and her colleagues would welcome further opportunity to discuss these issues with the Board [of Scrutiny]'.

Despite these assurances, mistakes made by the UAS were pointed to in the *Twenty-Sixth Report* of the Board of Scrutiny in 2022:

*'The Board's concerns remain with recent evidence of an ongoing problem including the erratic and often late publication of Special numbers of the Reporter, e.g. Special No 5, Members of University Bodies, the withdrawal of Graces, the publication schedule of the Reporter during the vacation, and the continuing publication of the Reporter in PDF form only. The Board acknowledges the pressure on staff and once again commends the expertise and commitment of the small team concerned. However, the Board cannot escape the conclusion that the system is struggling and under considerable strain.'*

Therefore 'the Board recommends that the Council undertake a review of the administration of the University's self-governing machinery, particularly the timeliness and adequacy of information provided to the Regent House'.

In its Notice in Response the Council listed the steps it had taken, and was taking, to do this.<sup>11</sup>

### *Publication of Minutes and Reports of Committees*

The bodies reporting directly to Congregation and the Regent House now publish an account of their deliberations, but a partial and not a public one. The Council and (in Cambridge) the General Board publish their Agendas and Minutes online, though with SSO/Raven access only, and often not for a considerable time after the event recorded. The Cambridge Council has a Business Committee helping it to expedite its work, also with published Minutes.<sup>12</sup> However none of these publish the papers their Minutes refer to as considered at their meetings.

Committees report to the Councils and Cambridge's General Board, which has its own seven committees.<sup>13</sup> Yet more bodies report to these subordinate committees (for example in Cambridge thirteen to the General Board's Research Policy Committee).<sup>14</sup> Oxford has a similar list of layers of committees. From all of these recommendations make their way upwards, with the higher committees commonly relying on them for authority for their own decisions with a 'Noted' or an 'Agreed' recorded in their Minutes.

Sometimes a link is made from such considerations to the desirability of communication to the Regent House. For instance, at the February 2023 meeting of the Council the Acting Vice-Chancellor introduced his own one-page 'Summary of Priorities for the University (Paper No. 20.02.23.B2)'. The Minute records that 'the Council commented that the summary was helpful and suggested that it would be useful for the Council to periodically review progress against these priorities and for the progress to be communicated to the Regent House'.

## *The unrecorded meetings of a 'senior leadership team'*

Alongside the partly-recorded deliberations and summary Reports and Minutes of all these committees and a myriad other bodies are the patchily recorded activities of what are coming to be called the 'senior leaders' of the universities. This has introduced a concept of 'leadership' dating from two significant governance changes in both universities. The first was the change from a rotating Head of House Vice-Chancellorship to the appointment of salaried seven-year Vice-Chancellors. The recent advertisement for the Cambridge Vice-Chancellorship<sup>15</sup> sought 'an exceptional individual to be its next leader' with several instances of 'lead', including 'to lead the University in delivering extraordinary outcomes for the world'.

By March 2001 the Cambridge Council had come to believe it could not conclude its planned review of 'the senior management of the University without giving further consideration to the role of the Vice-Chancellor'.<sup>16</sup> That was to result, under the Vice-Chancellorship of Alec Broers, to an unsuccessful proposal to make the Office that of a Chief Executive. In Discussion Stephen Cowley challenged the proposal:

*'Suppose that we exchange 'Chief Executive' for 'Vice-Chancellor', 'company' for 'University', and 'Board' for 'Council', and slightly abbreviate the clause. We then have this:*

*The Chief Executive shall be responsible for the executive management of the company and finances, and for the direction of company business within the framework of approved policies, and subject to the responsibilities of the Board.*

*Would that not pass as a description of a Chief Executive Officer of a company?'<sup>17</sup>*

The Regent House voted against making the Vice-Chancellor the University's CEO.

A second innovation in both universities has been the introduction and multiplication of Pro-Vice-Chancellors. Now numbering five in Cambridge, these have gained executive powers with respect to the areas of the University's business allocated to them: Enterprise and Business Relations; Strategy and Planning; Research and International Partnerships; University Community and Engagement; Education. Similarly in Oxford there are six Pro-Vice-Chancellors with Portfolios. In both universities the content of portfolios is not fixed and has changed a good deal, but both allow something closer to personal executive powers to their Pro-Vice-Chancellors. Information about their activities may be published to announce a new venture for which one of them is to be 'responsible'. They do not publish formal Reports.

The 'senior leadership team' remains ill-defined, despite episodic attempts. In 2020 in Cambridge 'for the purpose of risk management the senior leadership team is defined as the Vice-Chancellor, the Pro-Vice-Chancellors, the Heads of the Schools, the Registrar, the Chief Financial Officer, the Director of Communications and the Director of Development and Alumni Relations'.<sup>18</sup> Such a 'team' (without a note of membership) is sometimes on record as having 'met', for example in the *Annual Report of the Council* for 2018-9,<sup>19</sup> when its meeting in April was to discuss that Priorities Framework, which came back to the Council in September of that year.

In neither university do such meetings leave a published record; certainly no Minutes seem to be available. These 'teams' appear sometimes to constitute an informal committee of their Council, reporting to it *ad hoc*, or taking a 'lead' in various combinations, as when 'between October 2018 and February 2019, the Vice-Chancellor and members of the senior leadership team ... hosted a series of open meetings'.<sup>20</sup>

So the routes through which the influence of such 'senior teams' may make itself felt is far less traceable even than that of committees and sub-committees, whose proposals pass upwards and reach the Councils, though without necessarily prompting them to make them known to Congregation or the Regent House. That 'frank exchange of views' driving the conduct of business remains very largely hidden from the two sovereign bodies.

Its freer disclosure might well do something to engage staff generally. There are unavoidable limitations to this. There must be a spaces in which policy, plans and proposals can be tried out in confidence at every level of the universities' decision-making before their sovereign bodies consider them and rule. But the present shortcomings in frankness could be achieved if only to a limited extent, by specifying the requirements to keep and publish the records (Agendas and Minutes) of those holding policy-making conversations held out of sight. It proved possible to do that during the Covid period when both universities created bodies labelled gold, silver or bronze which made major changes to the universities' governance without reference to Congregation of the Regent House. The Minutes of Oxford's temporary 'groups' were published.<sup>21</sup> Cambridge's Gold group lingered on for future emergency use with some records of groups' deliberations retrieved by FOI request. Such disclosures need not be confined to emergencies, surely.

<sup>1</sup> Ordinances, pp.119-120, Amended by Grace 1 of 31 March 2021. There are special arrangements for Press and Assessment, the former CUP and UCLES.

<sup>2</sup> Chancellor, Vice-Chancellor, Pro-Vice-Chancellor, University Advocate, Deputy University Advocate, Registrar, Assistant Registrar, or Secretary of a School.

<sup>3</sup> Council Regulations 15 of 2002, 8 (8)(3).

<sup>4</sup> First Report of the Board of Scrutiny, *Reporter*, 30 May, 1996.

<sup>5</sup> Second Report of the Board of Scrutiny, *Reporter*, 18 June, 1997.

<sup>6</sup> Third Report of the Board of Scrutiny, *Reporter*, 17 June, 1998.

<sup>7</sup> Fourth Report of the Board of Scrutiny, *Reporter*, 23 June, 1999.

<sup>8</sup> <https://www.staff.admin.cam.ac.uk/general-news/using-yammer-to-connect-with-colleagues>

<sup>9</sup> *Reporter*, 16 October, 2019.

<sup>10</sup> *Reporter*, 5 February, 2020.

<sup>11</sup> *Reporter*, 5 February, 2020.

<sup>12</sup> <https://www.governance.cam.ac.uk/committees/business-committee/Pages/default.aspx>

<sup>13</sup> <https://www.governance.cam.ac.uk/committees/general-board/Pages/committees.aspx>

<sup>14</sup> <https://www.governance.cam.ac.uk/committees/research-policy/Pages/bodies.aspx>

<sup>15</sup> <https://www.admin.cam.ac.uk/reporter/2021-22/weekly/6652/VC-2022-advert-text.pdf>

- <sup>16</sup> *Reporter*, 21 March, 2001.
- <sup>17</sup> Stephen Cowley. *Reporter*, 16 October, 2002.
- <sup>18</sup> *Reporter*, 28 September, 2020.
- <sup>19</sup> *Reporter*, 22 January, 2020.
- <sup>20</sup> *Reporter*, 22 January, 2020.
- <sup>21</sup> <https://governance.admin.ox.ac.uk/council/meetings>.
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## How to initiate Congregation actions

### *How to trigger a debate or discussion in Congregation*

It is open to any 20 or more members of Congregation to propose a resolution or topic for discussion at a meeting of Congregation; requests must be made in writing to the Registrar not later than noon on the 22<sup>nd</sup> day before the relevant meeting. Any 2 or more members of Congregation can submit an amendment to, or announce an intention to vote against, a resolution or a legislative proposal (*i.e.* a proposal to amend the statutes). Notice must be given to the Registrar (in writing) not later than noon on the 8<sup>th</sup> day before the meeting.

### *Questions and replies*

Any 2 or more members of Congregation may ask a question in Congregation about any matter concerning the policy or the administration of the University. Requests must be submitted to the Registrar (in writing) not later than noon on the 18<sup>th</sup> day before the Congregation meeting at which it is to be asked. The question and the reply (drafted by Council) will be published in *Gazette* in the week prior to the relevant meeting. The answer is also formally read out at the meeting. Supplementary questions are allowed.

### *Postal votes*

Attendance at meetings of Congregation tends to be low. Postal voting can potentially allow opinion to be easily accessed more widely across Congregation membership. Congregation can trigger a postal vote after a debate (but not after a discussion or a question and reply where no vote is taken). 25 or more members of Congregation have to be present (“on the floor”) at the relevant debate. The request must be made by 4pm on the 6<sup>th</sup> day after the debate, signed by 50 members of Congregation, in writing to the Registrar. Council can also decide to hold a postal ballot, by the same deadline.

### *Flysheets*

To generate a flysheet for publication with the *Gazette*, the camera-ready copy (2 sides maximum) should be submitted with at least 10 signatures on an indemnity form (obtainable from the Registrar) by 10am on the Monday in the week in which publication is desired.

Regulations governing the conduct of business in Congregation can be found at: <http://www.admin.ox.ac.uk/statutes/regulations/529-122.shtml>

Items placed on the agenda for Congregation are published in the *Gazette*.

The Congregation website is at: [www.admin.ox.ac.uk/councilsec/governance/congregation](http://www.admin.ox.ac.uk/councilsec/governance/congregation).

Advice on Congregation procedures is available from the Council Secretariat on request (email: [congregation.meeting@admin.ox.ac.uk](mailto:congregation.meeting@admin.ox.ac.uk)).

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# Revitalising Modern Languages: Content, Culture, Community

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CHARLOTTE RYLAND

*The following article is based on a speech given at the Moore Society Dinner 2023 at St John's College, Oxford.*

I'm going to start by jumping back twenty years, as I was here at St John's then, studying for a Masters in European Literature. At that point I was following an academic career path, and I went on to do a PhD in German literature and translation at UCL.

But from my time at St John's onwards I became increasingly aware of, and concerned by, what was happening to languages in schools, and increasingly motivated to do something about it. In 2004 the Labour government stopped languages from being compulsory at GCSE, and introduced language lessons at primary school. It's more complex than simply this one change, but that date does mark the beginning of a major decline in numbers learning languages at schools, which has developed from a small leak to a gaping hole. I promise that this talk is not going to remain so doom-laden, but to set the scene it is worth looking briefly at the statistics – since 2005 numbers taking French at GCSE have dropped by 125,000; German by 65,000. Spanish has increased by 50,000 – but this is not enough to plug the gap, and the increase is slowing.

As a result, there are fewer languages graduates to become teachers, and teacher retention is also very low, so we're close now to the cycle being broken. There will not be enough teachers, regardless of how many pupils there are wanting to learn languages.

So what do we do about this? This is the question I started to ask myself seriously when I came back to Oxford after my PhD, and began a lectureship at Queen's College. During those early years back in Oxford, I decided to move away from a conventional academic career path and into promoting international culture and language-learning in this country. At the time I didn't have a name for what I was doing, and it felt a bit risky to leave a well-trodden path, but at a conference after a few years somebody introduced me as a "cultural activist", and I realised that I'd found my calling.

Through that activism I became very involved in the world of literary translation, working closely with translators and publishers to bring more translated literature to readers in the UK. At the same time I was still lecturing here at Oxford, and taking part in faculty outreach activities with schools. And I became aware of a real disjuncture between these two worlds. On the one hand, literary translation was becoming increasingly dynamic, collaborative, and lively, and on the other there was a real lack of dynamism, collaboration and life in languages in schools. Numbers were plummeting, culture and creativity were being stripped from the curriculum, and university departments were starting to downsize and close.

I had begun to run translation workshops with adults

as part of my non-Oxford work, and I saw that something really special happens when you bring people together to share and translate a literary text. I experienced so many university outreach events where pupils were *told* that it is worth continuing to study languages – that it would enable them to travel, to have an 'international career', to earn a bit more money – but those promises tended to meet with dead-eyed stares. By contrast, when we started to run translation workshops with pupils, their eyes were bright and alive – because this activity was *showing* them what it means to be a linguist in the here and now, not *telling* them, not trying to sell them an imagined future.

So this has become the principle of all the work I have done since then: showing, not telling; treating pupils as real-life linguists from the moment they learn one word in another language; focusing on what they *can* do in another language, rather than what they *can't*.

I'm going to talk in a minute about how this all works in practice, but first I just need to backtrack and explain what happened next in my career. In 2018 I set up a centre based at Queen's, now called the Translation Exchange, which uses translation activities to inspire lifelong engagement with languages. The same year I became Director of a small charity called the Stephen Spender Trust, which has a similar mission. We run competitions for young people, translation workshops in schools, book clubs for all ages, and workshops for adults. The project that I'm most proud of is our Creative Translation Ambassadors scheme, where we train university students to design and deliver creative translation workshops in schools. I particularly like the way that this is a cascading model: professional translators run workshops for the students, who then run workshops for school pupils. We're now looking at continuing this cascade – translators delivering workshops to university students, who deliver to sixth formers, who work with Year 9s, who run workshops in their local primary school...

At the Translation Exchange we also run a prize for schools called the Anthea Bell Prize for Young Translators, which we launched in 2020. It's grown enormously since then and in 2022 over 14,000 pupils took part with their teachers. So we know that we're onto a good thing with creative translation, and I've spent a lot of time in recent years thinking through why that is. We learnt through experience that creative translation really helps to enthuse and motivate learners and teachers, but we didn't know exactly why it worked so well. My thinking has led me to my three Cs: Content, Culture, Community. I'm going to close by talking a little about these three areas and sharing examples of how they work in practice.

Firstly, *content*. We have to recognise that *what* we learn when we learn languages really matters. There are a couple of examples that teachers often cite in this context

– the ‘what’s in my pencil case’ example and the ‘pros and cons of skiing’ example. Some of you will recognise these: a frequent topic in the early years of secondary school; and a recent German GCSE oral exam question which asked candidates to discuss the ‘advantages and/or disadvantages of a skiing holiday’. These topics are by turns dull and exclusive. The first doesn’t match the age of the learners – I know that my seven-year-old daughter finds it pretty exciting to talk about pencil cases, but I suspect that enthusiasm will wane by the time she reaches secondary school. And I don’t need to explain why the skiing topic is a problematic one in terms of inclusion.

By contrast, creative translation provides interesting, authentic content that everybody can access. It levels the playing field. In our workshops we often use a lovely graphic novel series by an author from the Ivory Coast, about a mischievous seven-year-old. All the French vocabulary and grammar around friends, describing homes, hobbies etc. is there, but the pupils are talking about a character, not rehashing details from their own lives.

The most memorable example of this impact came from a conversation with a teacher in the North West who uses our teaching resources. He described how he was running one of our workshops about migration in South America, for his Year 8 Spanish learners. The discussion was lively and the class found themselves talking about their own related experiences – which ranged from migration from another country, to moving house and starting afresh in a new community. At one stage one of the Year 8 boys turned to the teacher and said “This feels important”. That is exactly what we are aiming for – an awareness that learning languages is important, is relevant. That it speaks to the learners at their age and stage, rather than talking down to them and promising them some imagined future when they’ll be able to access cultural content. That it enables them to learn about important things.

Which leads me on to my second C, *culture*. Everything that we do at the Stephen Spender Trust and Translation Exchange revolves around authentic culture, mostly with a capital ‘C’ – literature, film, music. Translation is the perfect way of getting people to engage in that culture because – as you all know – translating requires careful reading and careful writing. You become a writer when you translate, so you don’t just observe or consume the culture, you participate in it.

As with my Ivory Coast example, this also enables us to represent diverse and inclusive culture – not just the Eurocentric culture that school textbooks often focus on. My concrete example here comes from a recent conversation with a languages teacher, who told me that using our creative translation resources had reminded her of why she studied languages and went into teaching in the first place – which was something that she was beginning to lose sight of. She said something that we often hear, which

is that the activity of translation enables her to take a different role in the classroom. She is no longer standing at the front, teaching word lists and grammar points, but feels that she is sitting alongside the pupils, collaborating with them and working towards a shared goal.

This of course is something that we’re all familiar with from the tutorial system here, in its ideal form, and I guess I may have been influenced more by that than I realised. But I think it’s so important that that collaborative learning experience isn’t delayed until university. Really, it shouldn’t be delayed beyond primary school, and creative translation makes that possible.

So, finally: *community*. As numbers learning languages in schools decrease, so does any sense of community. You might be one of only two pupils doing Spanish A Level, for example, or you may be unable to join the community at all because your school has stopped offering German.

My view is that we have to show our young learners that they are part of a community of linguists, which spans generations and continents, from the moment they learn their first word in another language. That engaging in other languages and cultures isn’t just some esoteric thing that happens at 2 o’clock on a Tuesday afternoon with their French teacher, but is a mindset and a way of life that can stay with them throughout their lives. Creative translation builds these communities, not least because the pupils often get to meet – or see on screen – languages students like you and professional linguists who are leading exciting lives with languages.

My example here is from a visit to a primary school about an hour’s drive away from here in Buckinghamshire, two weeks ago. We’d just run three days of Ukrainian creative translation workshops in the school, and I interviewed some of the pupils about the experience. One of the Year 4s said:

*‘My nan speaks another language. I don’t know what language it is... and I’d never spoken to her about it. After the workshop I talked to her about it for the first time, because I’m a translator now, so I know about languages and can talk to her about them.’*

I thought this was incredible. One 90-minute workshop had completely changed her attitude to languages, had changed her own identity, had given her the confidence to ask about something she’d never really thought about before. And to me this is because the workshop made her feel part of a community – of translators and linguists.

So it’s with community that I’ll close. It’s been lovely to be welcomed into this community this evening, and we shouldn’t take for granted the pleasure that comes from our community of linguists here in Oxford. But our work at the Translation Exchange and Stephen Spender Trust is about extending that community as far as we can, and I do hope that many of you will join us in that endeavour.



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# The Still Point

Some call this dancing stillness God: they place  
Stained glass on top of shining empty space.

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## Μή μου ἄπτου

John 20:17

‘Do not touch’  
Or ‘Do not cling to me’?  
These kind of puzzles  
Don’t mean a thing to me.

God is not  
Liddell and Scott.  
God is not not  
Liddell and Scott.

Only in silence  
Can some truth speak.  
What sort of God  
Plays hide-and-seek?

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# OX1

after Kuōān Shīyuān’s poems on  
the Zen parable of the ox herder

I walk the brilliant golden streets  
And hear the sonorous hastening clocks,  
Knowing that dazzling sometimes cheats.  
I seek my missing bow-horned ox.

Out in the meadow he careers  
With many contradictory hopes  
Of gore and pasture. As he rears  
I try to catch him with my ropes.

What strength! What massive horns and head!  
Often they knock me to the ground.  
Winded among brown dust, half dead  
And weak with terror, I come round.

I breathe in deep. To my delight  
The rope locates a smile-shaped horn.  
His eyes are placid, large and bright.  
One of us is again newborn.

The Thames’s busy eddies whirl.  
I climb upon his back: joy roars  
And as the homeward streets unfurl  
We vanish. In the cosmos pours.

KIERON WINN

Kieron Winn’s poems appear in magazines such as *New Statesman*, *The Spectator* and *The Times Literary Supplement*, and his first collection is *The Mortal Man* (2015): ‘superb collection’ (*Agenda*); ‘the level of craft in these poems is a delight’ (Clive James). He lives in Oxford and Penrith. In 2021 he was the first poet in residence at Rydal Mount since Wordsworth’s time. See [kieronwinn.com](http://kieronwinn.com)

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Sir – Danny Dorling (Letters, *Oxford Magazine*, No. 453, Second Week, Trinity Term 2023) could usefully extend his thinking. The Roundheads, having won the Civil War, then managed to cling to power for barely an arid decade. In 1660 Restoration of the monarchy was followed immediately by foundation of the Royal Society, along with initiation of a new golden age of English literature, philosophy, music and the performing arts, comparable to that of the Tudors.

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## TO THE EDITOR

The Great Plague and Great Fire of London (1666) were tragedies along the way, but did not overshadow the cultural achievements.

In 2023 the challenge going forward is to ensure that Irene Tracey’s assumption of office proves likewise to be a Restoration not merely of approaches to the Vice-Chancellorship, but of academic priorities in the governance of the University.

Yours sincerely,  
PETER OPPENHEIMER  
*Christ Church*

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